

Message Text

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ORIGIN ARA-10

INFO OCT-01 EUR-12 EA-06 ISO-00 OES-03 DLOS-04 L-03 OFA-01

SS-15 EB-07 NSC-05 CIAE-00 INR-07 NSAE-00 IO-10 SP-02

H-02 DODE-00 SSO-00 NSCE-00 INRE-00 /088 R

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OES:TCLINGAN

D/LOS:RHULL

L/OES:TLEITZELL

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O R 102352Z JUL 75

FM SECSTATE WASHDC

TO AMEMBASSY QUITO IMMEDIATE

INFO AMCONSUL GUAYAQUIL

AMEMBASSY BOGOTA

AMEMBASSY LIMA

AMEMBASSY MANAGUA

AMEMBASSY MEXICO

AMEMBASSY OTTAWA

AMEMBASSY PANAMA

AMEMBASSY PARIS

AMEMBASSY SAN JOSE

AMEMBASSY SAN SALVADOR

AMEMBASSY SANTIAGO

AMEMBASSY TEGUCIGALPA

AMEMBASSY TOKYO

C O N F I D E N T I A L STATE 162866

E.O. 11652:GDS

TAGS:PLOS, EFIS

SUBJECT:LOS: EASTERN PACIFIC TUNA INITIATIVE

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REFERENCE: (A) QUITO 4927, (B) STATE 153608, (C) STATE 142763, (D) STATE 139420

1. REFTTEL A DID NOT INDICATE YOU RAISED QUESTION OF NON-REGIONAL PARTICIPANTS WITH AYALA IN ORDER TO CLARIFY GOE POSITION AS REQUESTED REFTTEL B (NOTAL). WE FEEL THIS POSSIBLE MISUNDERSTANDING COULD CAUSE SERIOUS PROBLEMS AND MUST BE CLARIFIED. UNDERSTANDING ON THIS POINT ALSO REQUIRED TO REMOVE IMPEDIMENT TO OUR FURTHER CONSULTATIONS WITH OTHER COUNTRIES.

2. ON TRAVEL, CLEAR PREFERENCE OF DEPARTMENT IS TO AVOID BECOMING OVERCOMMITTED. WE BELIEVE POSTS SHOULD BE ABLE TO EXCHANGE NECESSARY INFORMATION, ESPECIALLY WHERE BASIS HAD BEEN LAID IN GENEVA CONTACTS AS IN CASE OF ECUADOR. WE WILL, HOWEVER, KEEP POSSIBILITY IN MIND OF CLINGAN/MOORE TRIP TO QUITO.

3. LAST LINE OF PARA 2 OF REFTTEL (A) SUGGESTS FURTHER POSSIBLE MISUNDERSTANDING ON PART OF GOE. AS INDICATED IN REFTTEL (C) WE HAVE IN MIND (BASED ON TENTATIVE AGREEMENT WITH ECUADOR AND MEXICO AS RESULT OF GENEVA CONSULTATIONS)

ATTEMPT TO INITIATE TWO TRACK APPROACH: A. AGREEMENT ON GENERAL LOS ARTICLE ON HIGHLY MIGRATORY SPECIES (HMS) USING ARTICLE 53 AS STARTING POINT; AND (B) A SEPARATE REGIONAL AGREEMENT AMONG THE CONCERNED STATES ON PROVISIONS FOR TUNA FISHING WHICH WOULD BE APPLIED IN THE REGION. THE LATTER PROVISIONS WOULD NOT BE ELABORATION OF ARTICLE 53; THEY WOULD CONSTITUTE ENTIRELY SEPARATE AGREEMENT SUPPLEMENTAL TO, BUT NOT PART OF, LOS TREATY. REASON FOR THIS APPROACH WAS GENEVA OPPOSITION TO TREATY LANGUAGE INCLUDING SPECIFICS SUCH AS MEMBERSHIP, PREFERENCE, ENFORCEMENT, LICENSING, ETC. WE ARE CONVINCED ANY ATTEMPT TO RETURN TO ELABORATING DETAILS OF REGIONAL ORGANIZATION IN ARTICLE 53 WOULD THEREFORE BE COUNTER-PRODUCTIVE.

4. EM8ASSY IS REQUESTED TO ADVISE GOE OF OUR CONCERN OVER POSSIBLE MISUNDERSTANDINGS DESCRIBED PARAS 1 AND 3
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